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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

SEP 08 2008

IN THE MATTER OF THE) DOCKET NO. RR-03639A-08-0054
APPLICATION OF UNION)
PACIFIC RAILROAD TO ALTER) UNION PACIFIC RAILROAD
ONE CROSSING OF THE UNION) COMPANY'S CERTIFICATION OF
PACIFIC RAILROAD AT) NOTICE PURSUANT TO
RUTHRAUFF ROAD) PROCEDURAL ORDER DATED
JULY 25, 2008

Applicant Union Pacific Railroad Company ("Union Pacific"), by and through its attorneys Beaugureau, Hancock, Stoll & Schwartz, P.C., hereby certifies pursuant to the Procedural Order dated July 25, 2008 that it complied with said Procedural Order by doing the following:

1. Providing by certified mail, within five business days of receipt of the Procedural Order dated July 25, 2008, a copy of Union Pacific's application and a copy of the Procedural Order to the following:

Albert Letzkus, P.E. PTOE
Division Manager, Traffic Engineering
Pima County
1313 S. Mission Road
Tucson, AZ 85713-1398

Bob Roggenthen, P.E.
Traffic Engineering Division
Pima County Department of Transportation
1313 S. Mission Road
Tucson, AZ 85713-1398

Arizona Corporation Commission

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1 Bruce D. Vana
2 Engineer-Manager
3 Utilities & Railroad Engineering Section
4 Arizona Department of Transportation
205 South 17th Avenue, Mail Drop 618E
Phoenix, AZ 85007

5 Jim Glock
6 City of Tucson Department of Transportation
201 N. Stone Ave., 6th Floor, North Wing
7 P.O. Box 27210
Tucson, AZ 85726-7210

8 Andrew C. Dinauer
9 Engineering Administrator, Engineering Division
10 City of Tucson Department of Transportation
201 N. Stone Ave., 3rd Floor
11 Tucson, AZ 85701-1207

12 2. Providing public notice of the hearing in this matter before October 1, 2008 by
13 publishing the notice stated in the Procedural Order as follows:

14 a. in the Arizona Daily Star and Tucson Citizen, daily newspapers of general
15 circulation in the City of Tucson and County of Pima four times on August 1, 8, 15, and 22, 2008.

16 3. The Procedural Order specified publication was to be made at least once in a daily
17 newspaper of general circulation and at least three times in a weekly newspaper. However, after
18 thoroughly researching the existence of weekly newspapers in the City of Tucson and the
19 surrounding area, Union Pacific's counsel determined that no weekly newspaper with circulation
20 in the area of the crossings accepted legal notices for publication. Therefore, after consulting with
21 Judge Stern and the ACC Staff, it was determined and approved to publish the notice four times
22 over four separate weeks in the daily papers serving Tucson and Pima County, namely the Arizona
23 Daily Star and Tucson Citizen.
24
25
26

1 RESPECTFULLY SUBMITTED this 5th day of September, 2008.

2 BEAUGUREAU, HANCOCK,
3 STOLL & SCHWARTZ, P.C.

4 By: Terrance L. Sims
5 Anthony J. Hancock
6 Terrance L. Sims
7 302 East Coronado
8 Phoenix, Arizona 85004
9 Attorneys for Applicant Union
10 Pacific Railroad Company

11 ORIGINAL AND THIRTEEN COPIES
12 of the foregoing filed this 5th day of
13 September, 2008, with:

14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 COPY of the foregoing mailed this
18 5th day of September, 2008, to:

19 Mr. David Raber
20 Mr. Brian Lehman
21 Mr. Chris Watson
22 Railroad Safety Section
23 Arizona Corporation Commission
24 2200 North Central Avenue, #300
25 Phoenix, Arizona 85007

26 Charles H. Hains, Esq.
 Legal Division
 Arizona Corporation Commission
 1200 West Washington Street
 Phoenix, Arizona 85007

Monique Trusler
 Monique Trusler